THREAT TO AIRPORT SELF-SUFFICIENCY:
The Pilot and Aircraft Privacy Act (S. 2175/H.R. 4146)

Congress should reject the Pilot and Aircraft Privacy Act (S. 2175/H.R. 4146). This legislation would undermine airport safety, efficiency, and financial sustainability by restricting airports' ability to (a) impose reasonable and necessary fees on general aviation and commercial aircraft, and (b) use Automatic Dependent Surveillance–Broadcast (ADS-B) data and FAA aircraft registration information to assess appropriate user fees. These tools are essential for managing operations, ensuring safety, and collecting reasonable user fees. Airports use such fees – allowed under federal law – to maintain airport operations, fund safety-critical infrastructure, and comply with federal grant obligations.

What the Legislation Would Do

The Pilot and Aircraft Privacy Act would severely limit airports' ability to responsibly and safely manage operations and collect lawful user fees by:

- Prohibiting airports from using ADS-B data to assess or collect landing or takeoff fees.
- Imposing new administrative hurdles before airports can implement any general aviation fees.
- Impeding the ability of airports to manage their facilities by restricting the use of collected fees to certain projects.
- Broadly redefining "general aviation" to include nearly all non-airline operations, greatly expanding the bill's impact.

Why This Matters to Airports and Communities

The bill threatens to disrupt airport funding structures, increase operational costs, and undermine the safety and efficiency of the entire aviation system by:

- Violating Congress's mandate that airports be as self-sustaining as possible under 49 U.S.C. §47107(a)(13).
- Forcing airports to shift costs from certain general-aviation users to other general aviation or commercial aviation users, which could adversely impact small airports trying to retain and attract new commercial air service.
- Eliminating efficient, technology-based billing methods that lower costs for users.
- Jeopardizing small airports' ability to maintain operations and pay for safety-critical infrastructure that has significantly increased in cost in recent years.
- Undermining the use of ADS-B and other FAA-supported technologies that improve operational safety.

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Safeguards Already Ensure Fair and Reasonable Fees

The legislation attempts to fix a problem that does not exist. Multiple safeguards already protect users from unreasonable or discriminatory fees:

- Airport sponsors are typically local governments subject to public transparency and hearings where users may raise concerns or disputes.
- Federally obligated airports must comply with Grant Assurance 22, requiring fair and non-discriminatory rates.
- The FAA maintains detailed guidance and complaint procedures to review and resolve disputes over airport fees.

Operational and Safety Impacts

ADS-B data is integral to safe and efficient airport operations. Removing airports' ability to use this data for fee assessment would also compromise its broader uses for operational monitoring, safety management, responding to noise-related concerns, and compliance with federal requirements. Airports cannot realistically separate data used for safety and billing—both functions rely on the same operational information.

Conclusion

ACI-NA and AAAE urge Congress to reject the Pilot and Aircraft Privacy Act. The bill would undermine airport safety, efficiency, and financial accountability – harming the very users it aims to protect. Airports are public entities and must retain the ability to responsibly use available data to manage operations, ensure safety, and collect fair user fees that keep their facilities and the national aviation system safe and self-sustaining.